

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE MICRO FOCUS INTERNATIONAL PLC  
SECURITIES LITIGATION

CASE NO.: 18-cv-06763 (ALC)  
ECF CASE

**STIPULATION AND INITIAL SCHEDULING ORDER**

WHEREAS, on May 23, 2018, the initial class action complaint in the above-captioned action was filed in the United States District Court for the Northern District of California against Micro Focus International plc, Christopher Hsu, Stephen Murdoch, Mike Phillips, Kevin Loosemore, Nils Brauckmann, Karen Slatford, Richard Atkins, Amanda Brown, Silke Scheiber, Darren Roos, Giselle Manon, and John Schultz (collectively “Defendants”), alleging violations of the federal securities laws (ECF No. 1);

WHEREAS, on July 25, 2018, by stipulation of the parties, this action was transferred to this Court (ECF No. 25);

WHEREAS, related cases are pending in the California Superior Court, San Mateo County, *In re Micro Focus International plc Securities Litigation*, No. 18CIV01549, where Defendants have moved to dismiss or stay based upon a forum selection clause requiring the cases to be filed in state or federal courts in New York, New York, which motion is pending;

WHEREAS, on August 2, 2018, Iron Workers’ Local No. 25 Pension Fund (“Iron Workers”) moved for appointment as Lead Plaintiff and approval of Bernstein Litowitz Berger & Grossmann LLP (“Bernstein Litowitz”) as Lead Counsel (ECF No. 33);

WHEREAS, the parties filed a Stipulation and Proposed Order Vacating Response Deadlines Pending Appointment of Lead Plaintiff and Amendment of Complaint, which was signed by the Court on September 10, 2018 (ECF No. 61);

WHEREAS, On September 11, 2018, the Court entered its order appointing Iron Workers as Lead Plaintiff and Bernstein Litowitz as Lead Counsel (ECF No. 62);

NOW, THEREFORE, the undersigned parties, through their attorneys and subject to the Court's approval, stipulate and agree to the following:

1. Lead Plaintiff will file a consolidated complaint in the above-captioned action ("Complaint") by November 9, 2018;
2. In accordance with Rule 2(A) of the Court's Individual Practices, if Defendants seek to file a motion to dismiss the Complaint, Defendants will submit a letter request to the Court seeking a pre-motion conference regarding such a motion by November 27, 2018; Lead Plaintiff shall have the opportunity to respond to that letter as provided for in the Court's Individual Practices;
3. Defendants must move, answer, or otherwise respond to the Complaint within 45 days from the pre-motion conference or, if the Court enters an order declining to hold a pre-motion conference, from the date of that order;
4. If Defendants file a motion to dismiss the Complaint, Lead Plaintiff must file any opposition 45 days from the filing of Defendants' motion to dismiss;
5. Defendants must file any replies 30 days from the filing of Lead Plaintiff's opposition; and
6. If Defendants do not seek to file a motion to dismiss the Complaint, their Answer will be due as provided in Rule 12 of the Federal Rules of Civil Procedure.
7. If any party from a related state court proceeding seeks to intervene in or otherwise be heard or participate in this Action, the parties will confer with such party in good faith with respect to the schedule set forth in this stipulation or any subsequent schedule for this Action.

Dated: September 24, 2018

Respectfully submitted,

James A. Harrod

Jai Chandrasekhar

Julia K. Tebor

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Dated: September 24, 2018

  
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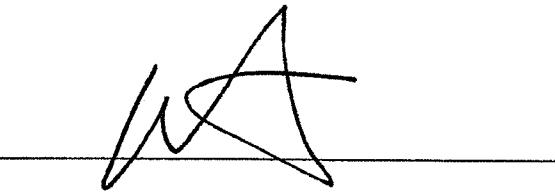
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Dated: September 24, 2018



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*Counsel for Defendant John Schultz*

Dated: September 24, 2018

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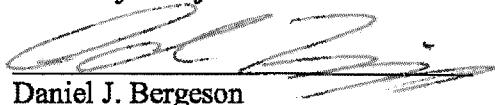
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Dated: September 24, 2018

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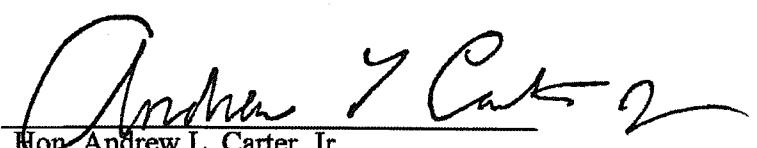
*Counsel for Defendant Christopher Hsu*

Dated: September 24, 2018

\* \* \*

**IT IS SO ORDERED.**

Date: 10/1/18



Hon. Andrew L. Carter, Jr.  
UNITED STATES DISTRICT JUDGE